



M E M O R A N D U M

To: The Honorable Mark L. Wolf
Chief U.S. District Judge
From: Brett L. Wingard
U.S. Probation Officer
Re: **VOCCOLA, Edward**
Dkt. # 02-CR-10257
Request for permission to travel
Date: 11/16/10

On 5/19/04, after having previously pled guilty to Securities Fraud, in violation of 15 U.S.C. § 78j(b) and 78ff (11 cts.), Falsey Representing a Social Security Number, in violation of 42 U.S.C. §408(a)(7) (2 cts.), Mail Fraud, in violation of 18 U.S.C. §1341 (4 cts.), and Wire Fraud, in violation of 18 U.S.C. §1343, Mr. Voccolla was sentenced to 15 months of incarceration, 5 years of supervised release, \$108,563 in restitution, and an \$1,800 special assessment. Mr. Voccolla was indicted for the instant case (#02-CR-10257) while under the supervision of the U.S. Probation Office for case #00-10109-PBS for 3 counts of Tax Evasion, in violation of 26 U.S.C. § 7201. In that case, Mr. Voccolla was sentenced on 12/30/00 to 12 months and one day of custody, to be followed by three years of supervised release. Mr. Voccolla was revoked once in connection with Dkt. #00-10109, and three times in connection with the instant case (Dkt. # 02-CR-10257). Mr. Voccolla completed his term of supervision for case #00-CR-10109-PBS on 9/29/07. He remains under supervision in connection with Dkt. # 02-CR-10257. His current term of supervised release commenced on 10/9/09, and is scheduled to terminate on 10/8/13.

The purpose of this memorandum is to update Your Honor on the status of this case given that Mr. Voccolla has requested permission to travel to Italy for approximately three days between December 22, 2010 and December 28, 2010. International travel requires the Court's permission. Mr. Voccolla is largely in compliance, but there are two issues of note:

A. On 3/30/10, the Probation Office notified the Court that, on 3/21/10, Mr. Voccolla had been issued a criminal summons for various motor vehicle-related offenses. On 7/12/10, the Court approved the Probation Office's recommendation of taking no formal action at that time pending the resolution of the state charges. Mr. Voccolla's driver's license has been reinstated, and the state case has been continued to 1/12/11.

B. As indicated above, the Court imposed restitution in the amount of \$108,563 in restitution, and an \$1,800 special assessment. Prior to April 2010, Mr. Voccolla paid a total of \$110,411, representing the total amount owed according to the Clerk's Office at that time. Therefore, as of late March 2010, Mr. Voccolla was considered to have been paid-in-full. However, on or about 3/31/10, the Probation Office learned that there may have been a miscalculation of the interest owed on Mr. Voccolla's financial responsibility. Based on new calculations, the Clerk's Office revised its position and indicated that Mr. Voccolla was no longer paid-in-full and owed an additional \$6,309.60. On 7/21/10, Mr. Voccolla filed a motion asking the Court to determine that "the restitution in the above case has been satisfied in full and no other payments remain." That matter is pending.

Mr. Voccolla submitted his request for international travel to the Probation Office in a timely fashion. Documentation (attached) has been obtained from the Consulate General of Italy indicating that the Consulate General is aware of Mr. Voccolla's offenses and current supervision status, and that the Consulate General has no objections to Mr. Voccolla's proposed travel to Italy. The Probation Office respectfully requests that the Court indicate below its position on Mr. Voccolla's proposed travel to Italy.

Reviewed/Approved by:

/s/ Joseph LaFratta

Joseph LaFratta

Supervising U.S. Probation Officer

Submitted By:

/s/ Brett L. Wingard

Brett L. Wingard

U.S. Probation Officer

THE COURT:

X

Approves the proposed international travel

Denies the proposed international travel

Other:

/s/ Mark L. Wolf

The Honorable Mark L. Wolf
Chief U.S. District Judge

Dec. 14, 2010

05-2010 10:06

US PROBATION

6177484260 P.002

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
PROBATION OFFICE**

John M. Bacon
Chief U.S. Probation Officer

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Boston, MA 02110
(617) 748-9188
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November 5, 2010

Consulate-General of Italy
600 Atlantic Avenue, Suite 1700
Boston, MA 02210

FAX: 617-722-9407

Rc: Mr. Edward Voccolla
DOB: 2/25/54
Offenses: Securities Fraud (11 counts)
Falsey Representing SSN (2 counts)
Mail Fraud (4 counts)
Wire Fraud (1 count)
Initial Sentence: 15 months' custody and 60 months'
supervised release
Rev. Sentence: 48 months' supervised release
2nd Rcv. Sentence: 48 months' supervised release

Dear Consulate General:

The above mentioned individual is currently under supervision with the U.S. Probation Office, Boston, MA have being convicted of the above offense. Mr. Voccolla is requesting permission to visit Rome, Italy, for approximately three days between December 22, 2010 and December 28, 2010.

The U.S. District Court requires permission in writing from the consulate before permission will be granted. Judicial permission will be requested if no objections are found with your department. Please indicate below whether you have any objections to the proposed travel. To expedite your reply, you may respond via facsimile to (617)748-4260.

Thank you for your attention to this matter. If you have any questions, please do not hesitate to call me at (617)748-9192.



Sincerely,

Brett L. Wingard
U.S. Probation Officer

The Consulate General has:

No Objections

Objections

Reason:

IL CANCELLIERE AMMINISTRATIVO
Pietro GIORDANO

Date

NOV 12 2010